

CITY OF EDGERTON  
REGULAR COMMON COUNCIL MEETING  
EDGERTON CITY HALL, COUNCIL CHAMBERS  
12 ALBION STREET

Monday, April 1, 2019 at 7:00 p.m.

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, March 29, 2019.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
  - A. The public will be allowed to speak on agenda items during the meeting.
6. Minutes:
  - A. Consider approval of minutes from March 18, 2019 Council meeting.
7. Committee Reports:
  - A. Finance Committee:
    1. Consider approval of bills and payroll vouchers.
    2. Consider approval of licenses.
      - a. Operator's License for Zachary Kelley.
    3. Consider second reading and adoption of City of Edgerton Ordinance 19-01: Amending "Class A" Combination Liquor License quota.
    4. Consider S Main St. street repairs.
    5. Consider library HVAC funding for budget shortfall.
    6. Consider sale of DPW wing plow to highest auction bidder.
    7. Consider accepting high auction bid on the following items:
      - a. New Holland 3930 tractor
      - b. Woods S105 ditch mower attachment
      - c. 2011 Exmark Lazer Z 60" mower
      - d. Target Pac II walk behind 10" concrete/asphalt saw
      - e. Stihl MS 192T chain saw
    8. Consider bids to purchase DPW ditch mower.
    9. Consider bids for purchase of cemetery Exmark mower.
    10. Consider sale of City property to Yeske Construction.
    11. Consider bidding farm leases for cemetery and Dallman Rd parcels.
  - B. Plan Commission:
    1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
    2. Consider approval of the preliminary certified survey map for 472 W. High St. with the Plan Commission's conditions.
    3. Consider adoption of City of Edgerton Resolution 05-19: Approving the Final Certified Survey Map for 472 W High St.
    4. Consider introducing and approving the first reading of City of Edgerton Ordinance 19-03: Amending the Official Zoning Map for properties on W High St.

5. Consider introducing and approving the first reading of City of Edgerton Ordinance 19-04: Amending the following sections of the Zoning Ordinance:
  - Section 22.420 Fencing Standards
  - Section 22.403 Visibility standards
  - Section 22.304(6)(e) and (f) Temporary outdoor sales
  - Section 22.302(11)(d) Steps in front yards
  - Section 22.303 (2)(g) Modification of a detached garage

6. Consider extraterritorial land division for McCann, Section 16 Town of Fulton (2019 009).

C. Edgerton Fire District:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.

D. Public Works Committee:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
2. Consider introducing and approving the first reading of City of Edgerton Ordinance 19-02: Amending Section 9.04 "Designation of One-Way Streets" by adding a portion of Ridgeway as one-way.

8. Adopt City of Edgerton Declarations for those assisting with the Police Chief hiring.

9. Mayor, alderperson and staff reports.

10. Adjourn.

Notice: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: (608) 884-3341.

**MARCH 18, 2019 COMMON COUNCIL MEETING MINUTES  
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:06 p.m.

Present: Matt McIntyre, David Esau, Candy Davis, Debbie Olson, Mark Wellnitz and Jim Burdick.

Others Present: Public Works Director Tom Hartzell, City Clerk-Treasurer Cindy Hegglund, Utility Director Randy Oren, City Attorney Bill Morgan, Interim Police Chief Randy Meehan, Library Director Kirsten Almo, Fire Chief Randy Pickering, The Edgerton Reporter and citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, March 15, 2019 at the Post Office, Edgerton Library and City Hall.

**ACCEPT THE AGENDA:** A Candy Davis/Matt McIntyre motion to accept the agenda as printed passed, all voted in favor.

**MINUTES:** A Candy Davis/David Esau motion to approve the minutes from the March 4, 2019 Common Council meeting passed, all voted in favor.

A Matt McIntyre/David Esau motion to approve the minutes from the March 6, 2019 special Common Council meeting passed, all voted in favor.

**COMMITTEE REPORTS:**

**Finance Committee:** A Mark Wellnitz/Candy Davis motion to approve the bills and payroll list in the amount of \$164,047.87 passed on a 6/0 roll call vote.

A Mark Wellnitz/David Esau motion to approve an Operator's License for Kelly Diabelko passed on a 4/2 roll call vote. Candy Davis and Jim Burdick voted against the motion.

A Mark Wellnitz/Candy Davis motion to approve the first reading of City of Edgerton Ordinance 19-01: Amending "Class A" Combination Liquor License quota passed on a 5/1 roll call vote. Debbie Olson voted against the motion.

A Mark Wellnitz/Debbie Olson motion to table the sale of the DPW wing plow until the next Finance meeting passed, all voted in favor.

A Mark Wellnitz/Matt McIntyre motion to declare the listed DPW equipment items (see list) as surplus passed on a 6/0 roll call vote.

Being no other business before the Council, a Candy Davis/Matt McIntyre motion to adjourn passed, all voted in favor.

Cindy Hegglund/wl  
City Clerk-Treasurer

Adopted April 1, 2019



**CITY OF EDGERTON  
ORDINANCE No. 19-01**

**AN ORDINANCE TO AMEND SECTION 19.17(4)(a) 1 “INTOXICATING LIQUOR”  
“CLASS A’ RETAIL LIQUOR LICENSES” OF THE EDGERTON CODE OF  
GENERAL ORDINANCES,**

**CITY OF EDGERTON ROCK AND DANE COUNTIES, WISCONSIN**

Aldersperson Mark Wellnitz introduced the following Ordinance and moved its adoption:

THE COMMON COUNCIL OF THE CITY OF EDGERTON, ROCK AND DANE COUNTIES,  
WISCONSIN, DO ORDAIN AS FOLLOWS:

**Section 19.17(4)(a) 1** shall be amended as follows:

**(4) LICENSES AND FEES.** See the end of this chapter for license fees. The classes of licenses shall be as follows:

**(a) INTOXICATING LIQUOR.**

1. “Class A” Retail Liquor License.

a. A “Class A” Retail Liquor License when issued by the City Clerk under authority of the Common Council shall permit to the holder the retail sale of intoxicating liquor for consumption off the premises where sold and in original packages and containers. “Class A” licenses shall particularly describe the premises for which issued and are not transferable except as provided in Section 125.04(12), Wis. Stats., or by local ordinance in strict conformity therewith.

~~b. Said “Class A” Retail Liquor License shall be limited to one (1) license for each one thousand (1,000) population as shown by the last decennial federal census.~~

This Ordinance shall be in full force and effect after its passage and publication.

Seconded by Aldersperson: Candy Davis

Roll Call: Ayes Noes

1st Reading: March 18, 2019

2nd Reading:

Adopted:

Published:

Dated:

\_\_\_\_\_  
Christopher W. Lund, Mayor

\_\_\_\_\_  
Ramona Flanigan, City Administrator



## Response to removing the Class A quota

Consider this excerpt from a 2017 CDC report "High alcohol outlet density, defined as having a high concentration of retail alcohol outlets in a small area, is an environmental risk factor for excessive drinking. From a 2014 study assessing the effects of various state alcohol policies, researchers found that differences in alcohol outlet density and alcohol taxes accounted for about half of the overall effect that the alcohol policy environment had on binge drinking among adults. In addition, high alcohol outlet density is associated with many social harms among neighborhoods in and around the alcohol outlets, such as disorderly conduct, noise, neighborhood disruption, public nuisance, and property damage. High alcohol outlet density is also linked with many alcohol-attributable effects among neighborhoods further away from alcohol outlets, such as alcohol-impaired driving, pedestrian injuries, domestic violence, and child abuse and neglect."

Once over-concentration occurs, it is difficult to reduce the number of alcohol licenses. License non-renewal and revocation is difficult, costly, and time consuming. As a result, concentrations of alcohol outlets are not easily reversed making it imperative for municipalities to understand outlet density and consider appropriate local limitations *before* problems emerge. Overtime, an over saturation of these licensees will result in higher rates of underage drinking, increased alcohol rates of crime and alcohol related incidents. Then city council will only have the immediate power to approve a chief's request for overtime to counteract the incidents.

Currently most of our businesses are passing alcohol age compliance checks. When compliance checks were conducted in 2015, we had a 25% failure rate. Prior to that, they hadn't been conducted in 4 years. Since 2015 the PD and coalition have agreed to conduct them twice a year. Now we average zero or 1 failure at each check.

If removing the quota is still in consideration; let's look at other alternatives to at least have some regulation.

### Option:

1. 500-1000 ft (measured as the crow flies) between all class A licensees. Current locations would be grandfathered in.

### In addition:

- a. Revisit our licensee application process. There are stronger regulations that could be put in place to ensure we're giving out licensees to good business owners.
- b. Require alcohol age compliance checks twice a year.
- c. Remove single servings alcohol beverages where gasoline is sold.
- d. Maintain separate coolers for alcohol and alcohol-free beverages.

## Licensing Restrictions

### Restricting the Location of Retail Outlets

Restricting the location of alcohol outlets, especially preventing high concentrations of outlet in a given area can reduce underage drinking. How much any individual person drinks is related in part to how much alcohol costs—both in money and convenience. When alcohol is plentiful and inexpensive, many people drink more. This is true of underage drinkers as well as adult drinkers. Because the purchase of alcohol is illegal for young people under 21, easy access to several outlets in a small area makes it easy to find the one outlet that will sell to underage drinkers. In this way, high concentrations of outlets can increase underage use.

A number of studies have found that outlet density is related to underage drinking and problems. One study found that when all other factors were controlled, higher initial levels of drinking and excessive drinking were observed among youths who live in zip codes with higher alcohol outlet densities. Therefore, alcohol outlet density may play a significant role in how underage drinking starts during early teenage years, especially when teens have limited mobility. (Chen et al., 2010). In another study, on- and off-license outlet density was found to be positively related to frequency of underage driving after drinking and riding with drinking drivers among 16 to 20-year-old youth (Treno et al., 2003).

Neighborhoods that have many outlets close together also convey the message that drinking—and even heavy drinking—is normal and expected. A study of the density of drinking establishments near college campuses found that more drinking took place among students on campuses with more outlets in the surrounding areas. Outlet density also was related to sexual violence among students (Scribner et al., 2010).

Many States and local governments also restrict the location of alcohol outlets by creating geographic buffer zones between alcohol outlets and schools, playgrounds, other youth facilities, and residential neighborhoods. Distance requirements vary widely—they may apply to only certain types of outlets, and the restrictions may be discretionary by either the State or local licensing body and applicable only if the school administration files a protest. Most States give local jurisdictions discretion to create buffer zones using local land use and zoning ordinances, a strategy that many cities are now using (League of California Cities, 1998; Wittman, 1994).

Youth buffer zones create a barrier between young people and alcohol and have both practical and symbolic benefits. By reducing the number of alcohol outlets that are readily accessible, they make it more difficult for young people to purchase alcohol (cf. Alaniz et al., 1998). In many communities, buffer zones will also reduce the number of convenience stores in residential areas. This may be particularly important near schools, limiting the possibility of student consumption during and after school (for discussion, see Mosher, 1998). They also send a community message that alcohol and young people are not a good mix. To be effective, buffer zones require a large enough geographic area (Wittman [1998a] recommends 1,000 feet) and permit only limited exceptions.

#### BEST PRACTICE 2

##### **Restrict the location of alcohol outlets.**

Limit the density of alcohol outlets and create buffer zones that extend at least 1,000 feet to separate alcohol outlets from schools, youth facilities, and residential neighborhoods; that can be applied retroactively; and that permit only limited exceptions based on local circumstances.

# Memo

**To:** Common Council  
**From:** Staff  
**Date:** 3/29/2019  
**Re:** April 1, 2019 Meeting

---

**Library HVAC Shortfall:** Please recall the bid awarded for the Library AC project is \$35,044 over bid. The Library Board agreed to contribute an additional \$25,000 towards the project less any grants the City can obtain. Options for funding this work are 2019 general fund contingency (\$12,878); from the Capital project surplus (estimated \$65,563.03); or from General Fund fund balance. Please note that the City's used capital surplus funds to pay for its portion of the original project.

**Milling bids for S Main Street Repairs:** The PW Committee recommended the City mill and resurface approximately 945 feet of S Main Street due to its failing condition for an estimated cost \$36,908. The Committee recommended \$10,000 for the project be taken from the annual \$50,000 appropriation in streets budget and the remainder coming from General Fund fund balance. The project will be done in two stages: milling and several weeks later, asphalt. Quotes for milling are due on Monday and will be provided at the meeting.

**DPW Wing Plow:** The Public Works Director recommends we re-list the wing plow on the auction in the fall.

**Sale of City Property on W High St:** Please recall the Council directed staff to negotiate an agreement for the sale of 8,728 sf of property on W High Street to Yeske Construction. (See attached CSM) Yeske Construction agreed to the purchase price of \$1,600.

**Track ditch mower:** The City received 4 bids for the purchase of the track ditch mower. The low bid was from Hartje Farm Equip for \$17,279.10. The estimated cost for the budget was \$18,000. We will not know if the purchase is within the budget until the auction for the sale of two mowers is complete on Monday.

**Cemetery mower:** The City received 2 bids for the purchase of a cemetery mower. The low bid was from St. Lawrence Equipment for \$10,930. The estimated cost for the budget was \$12,000. We will not know if the purchase is within the budget until the auction for the old cemetery mower is complete on Monday.

**Equipment for sale:** Bids are due on Monday and will be available for Monday's meeting.

**Ridgeway Street One-way:** To address the ongoing traffic problems on the school campus, the school district plans several changes to the campus traffic pattern including making Ridgeway a one-way street

between the elementary school and Albion Street. (See map). No properties other than school properties are in the proposed one-way area. One-way streets are listed in the ordinance and this change will require an ordinance amendment.

**Farm Lease:** The City leases two parcels to two different farmers: one east of the cemetery and one on the corner of Dallman Road. An operator who does not currently lease either of the properties has requested an opportunity to bid on the land. The Committee should decide if they wish to take bids for the lease of the properties. It has been several years since the City bid these leases.

Conditions for the lease of the cemetery piece are: no heavy equipment can access the parcel through the cemetery (the parcel is land locked) and the City reserves the right to remove a portion of the site during the term of the lease for cemetery use. The previous lease for this area also included 2 acres on Lord St across from South Ave for which the City required the tenant maintain in a cover crop (not planting row crops). The PW committee has applied for a grant to convert the 2 acre parcel to pollinator plants and therefore it would not be farmed. If the Council agrees to remove the 2 acres on Lord Street from the lease, the lease would be for the 7.75 acres adjacent to the cemetery.

Conditions of the lease for the Dallman Road parcel are: the term of the lease should be for one year as opposed to the customary 3 years as the City will have to determine if the detention basin that is planned for the parcel will be built before the TIF district closes in 2020. If the basin is not built, a three year lease could be established in 2020.

**TO:** Edgerton Plan Commission

**FROM:** Staff

**MEETING DATE:** March 25, 2019

**GENERAL DESCRIPTION**

**Description of Request:** Petition for approval of a preliminary and final certified survey map to move a lot line

**Location:** 472 W High St

**Applicant:** City of Edgerton/Yeske Construction

**Current Zoning/Land Use:** A-1 and B-3 / vacant and Contractor's Storage Yard

**STAFF REVIEW COMMENTS**

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Land Division Ordinances and has the following comments:

1. The proposed land division removes the eastern 45.72 feet (8,687 sf) of the city owned parcel and adds it to the parcel at 472 W High St that is owned by Yeske Construction. Yeske Construction wishes to purchase the land from the City to allow the construction of another building for their business. (The Plan Commission will consider the site plan at a future meeting.)
2. The City owned parcel is zoned A-1 Agriculture. The parcel will have to be rezoned to allow the construction of a building. The Yeske parcel is zoned B-3 commercial. It will have to be rezoned M-2 Industrial to allow the construction of a construction storage facility.
3. Under the proposed land division, the City would retain 30 ft from the east edge of the City's newly constructed trail to the proposed lot line. Any building constructed on the Yeske lot will have to have a 20 ft setback leaving 50 ft between the trail and the nearest structure. The sale of the City's lot requires the purchasers install a landscape screen on the west side of a building.

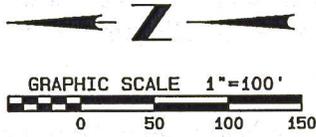
**STAFF RECOMMENDATION**

Staff recommends the Plan Commission recommend approval of the proposed preliminary and final CSM to add 8,687 sf to 472 W High St subject to the following conditions:

1. The final CSM indicates all easements.
2. The parcel is rezoned.

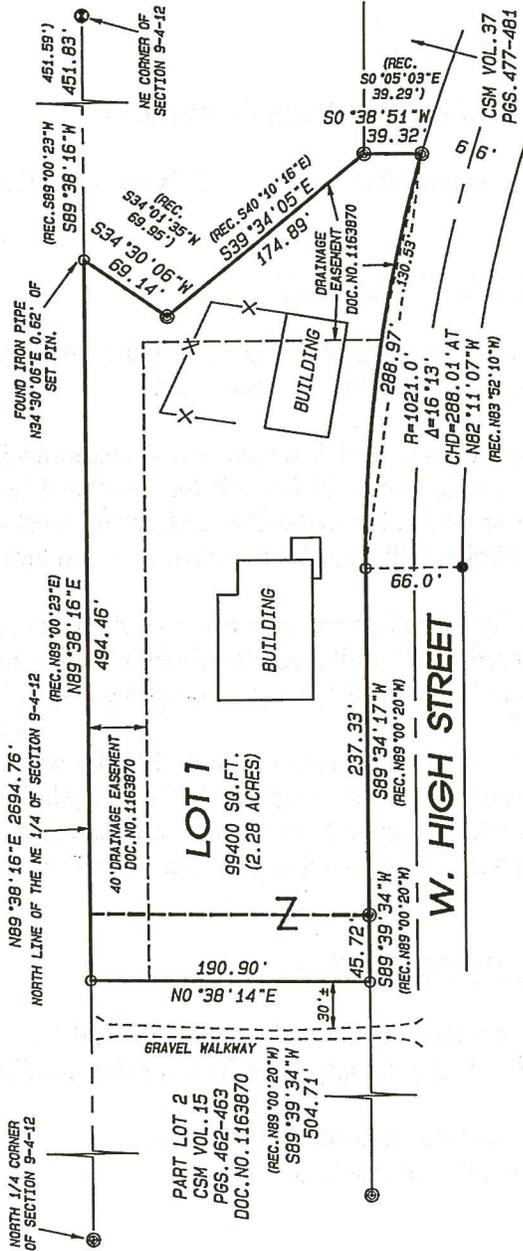
# CERTIFIED SURVEY MAP

LOT 1 AND PART OF LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 15, PAGES 462 AND 463 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN, AS DOCUMENT NO. 1163870 AND LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 9, T.4N., R.12E. OF THE 4TH P.M., CITY OF EDGERTON, ROCK COUNTY, WISCONSIN AND FORMERLY BEING PART OF OUTLOT 196 OF THE ASSESSOR'S PLAT OF THE CITY OF EDGERTON.



### LEGEND:

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN.FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND IRON PIPE - 1" DIA. UNLESS OTHERWISE SHOWN
- ⊕ FOUND ALUMINUM MONUMENT
- X— FENCE



### NOTES:

FIELDWORK COMPLETED \_\_\_\_\_

ASSUMED S89°38'16"W ALONG THE NORTH LINE OF THE NE 1/4 OF SECTION 9-4-12.



- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 N. Milwaukee St.  
Janesville, WI 53548  
www.combsurvey.com

tel: 608 752-0575  
fax: 608 752-0534

**CITY OF EDGERTON  
RESOLUTION No. 05-19**

**A RESOLUTION APPROVING THE FINAL CERTIFIED SURVEY MAP TO  
ADD 8,684 SF TO 472 W HIGH ST,  
CITY OF EDGERTON, ROCK AND DANE COUNTIES, WISCONSIN.**

**WHEREAS**, the City of Edgerton and Yeske Construction have petitioned for approval of a final certified survey map to add 8,684 sf to 472 W High St; and

**WHEREAS**, the certified survey map of said lots has been reviewed by the Planning Commission and City Engineer; and

**WHEREAS**, the Planning Commission recommends its approval to the City of Edgerton Common Council with the following condition:

1. The final CSM indicates all easements.
2. The parcel is rezoned

**NOW, THEREFORE BE IT RESOLVED**, that the City of Edgerton Common Council approves the final certified survey map as presented with the conditions above.

Motion by:

Seconded by:

Roll Call: Yeas: Noes:

Dated: April 1, 2019

\_\_\_\_\_  
Christopher W. Lund, Mayor

ATTEST

\_\_\_\_\_  
Ramona Flanigan, City Administrator



**CITY OF EDGERTON**  
**ORDINANCE No. 19-03**  
**AN ORDINANCE TO AMEND SECTION 22.210 "OFFICIAL ZONING MAP" OF THE**  
**EDGERTON CODE OF ZONING ORDINANCES, CITY OF EDGERTON ROCK AND**  
**DANE COUNTIES, WISCONSIN**

Aldersperson \_\_\_\_\_ introduced the following Ordinance and moved its adoption:

**WHEREAS** the Plan Commission has held a public hearing, reviewed the zoning changes and recommends the Common Council approve the changes, and

**WHEREAS** the Common Council has reviewed the recommendation and concluded that the zoning change supports the following finding of fact:

The potential public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning.

**WHEREAS** the Common Council has the final authority to approve all zoning changes.

**NOW THEREFORE BE IT RESOLVED**, the Common Council of the City of Edgerton, Rock and Dane Counties, Wisconsin, do ordain as follows:

1. SECTION 22.210 "Official Zoning Map" shall be amended for:
  - a. 402, 472, and 440 W High St zoned from B-3 Large Scale Commercial to M-2 General Industrial District, and
  - b. Only the portions of 315 and 415 W High St that are currently zoned B-3 Large Scale Commercial to be rezoned to M-2 General Industrial District.

This Ordinance shall be in full force and effect after its passage and publication.

Secõded by Aldersperson:

Roll Call:   Ayes           Noes

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

Adoption:

Published:

Dated:

\_\_\_\_\_  
Christopher W. Lund, Mayor

\_\_\_\_\_  
Ramona Flanigan, City Administrator

STATE OF WISCONSIN)

)SS.

COUNTY OF ROCK    )

I, Ramona Flanigan, City Administrator, City of Edgerton, Rock and Dane Counties, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the ordinance adopted by the Common Council of the City of Edgerton at its regular meeting the \_\_\_ day of April, 2019.

\_\_\_\_\_  
Ramona Flanigan, City Administrator



**TO:** Edgerton Plan Commission

**FROM:** Ramona Flanigan

**MEETING DATE:** March 25, 2019

**GENERAL DESCRIPTION**

**Description of Request:** Approval of a zoning change from B-3 Large Scale Commercial to M-2 General industrial .

**Location:** 315, 415, 420, 472, and 440 W High Street (Parcel #6-26-1109.1, 1109.1A, 1108.2, and a portion of 1108.1 and 1108.3)

**Applicant:** City of Edgerton

**Current Zoning/Land Use:** B-3 / contractors yards and City Garage

**STAFF REVIEW COMMENTS**

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Subdivision Ordinances and has the following comments:

**Rezone**

1. The subject parcels, located at 315, 415, 420, 472, and 440 W High Street, are zoned B-3 Large Scale Commercial. The petitioner proposes to rezone the subject parcels to M-2 General Industrial District to make the uses conforming. The parcels on the north side of W High Street (Yeske Construction and Edwardson Plumbing) are considered Outdoor Storage and Wholesaling land uses because of the outside storage they have. Outdoor Storage uses are not allowed in the B-3 District making these uses nonconforming. Yeske Construction's proposed expansion is prohibited under its current zoning. The proposed rezone is supported by the Master Plan.

The properties on the south side of W High Street are the city garage and yard, and the water utility building. These uses are considered Public Services and Utilities land uses. While this land use category allows for outside storage (thus not requiring a rezone to M-2), for consistency in zoning of similar types of land uses, staff is recommending the B-3 portion of the City owned parcels be rezoned to M-2.

2. Zoning and land uses of adjacent parcels consist of the following: B-3 (gas station) and R-3 and R-4 (residential) to the east; R-2 and R-4 (residential) and A-1 (park) to the north; A-1 (open space and environmental corridor) to the west; and R2 (residential) to the south.
3. The two zoning districts are different in the following ways (see attached marked-ordinance)

Uses allowed in B-3 that are not allowed in M-2:

- Personal and professional Services
- Indoor sales and services
- In Vehicle Sales and Service (conditional use)

Uses allowed in M-2 that are not allowed in B-3

- Light Industrial
- Outdoor Storage or Wholesaling (special use)
- Heavy Industrial (conditional use)

4. The advantages of the proposed rezoning are that the current uses better comply with the M-2 district regulations thus allowing their continued existence and expansion, and the rezoning is supported by the Master Plan. The potential disadvantages of the proposed rezoning to adjoining properties are the outdoor storage on the privately owned parcels will be allowed to remain as an acceptable land use (within the ordinance requirements) and a conversion of the properties to industrial uses would be possible in the future.

#### **STAFF RECOMMENDATION**

Staff recommends the Plan Commission recommend approval of the rezoning of 315, 415, 420, 472, and 440 W High Street from B-3 Large Scale Commercial to M-2 General Industrial. This recommendation is based on the finding that the potential public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning.



key land use difference  
Appendix A

C-conditional in B-3

- (f) Exterior Storage Standards: (See Subsection 22.406)
- (g) Loading Requirements: (See Subsection 22.405)

**Subsection 22.731: General Industrial District (M-2)**

**(1) Description and Purpose**

This district is intended to permit both large and small scale industrial and office development at an intensity which provides ample incentive for infill development and redevelopment of industrial areas existing as of the effective date of this Chapter. This district is designed to permit a very wide variety of industrial uses that may occur *both indoors and outdoors*. In order to ensure a minimum of disruption to residential development, no development within this district shall take direct access to a local residential street or a residential collector street.

Rationale: This district is intended to provide a location for urban intensity heavy industrial land uses which may include outdoor storage and display uses. In addition, uses shall comply with the minimum performance standards presented in this chapter.

**(2) List of Allowable Land Uses**

**(a) Land Uses Permitted by Right:**

- ~~Selective Cutting~~ (per Subsection 22.304(2)(b))
- ~~Passive Outdoor Public Recreation~~ (per Subsection 22.304(3)(a))
- ~~Office~~ (per Subsection 22.304(4)(a))
- ~~Indoor Maintenance Service~~ (per Subsection 22.304(4)(e))
- C — Vehicle Repair and Maintenance (per Subsection 22.304(4)(p))
- C — Indoor Storage or Wholesaling (per Subsection 22.304(7)(a))
- Indoor Vehicle Storage (per Subsection 22.304(5)(e))
- Light Industrial (per Subsection 22.304(9)(a))

**(b) Land Uses Permitted by Right with Additional Special Requirements:**

- ~~Cultivation~~ (per Subsection 22.304(2)(a))
- ~~Public Services and Utilities~~ (per Subsection 22.304(3)(e))
- ~~Off Site Parking Lot~~ (per Subsection 22.304(8)(a))
- ~~Artisan Studio/Production Shop~~ (per Subsection 22.304(4)(t))
- Outdoor Storage or Wholesaling (per Subsection 22.304(7)(b))

**(c) Land Uses Permitted as Conditional Use:**

- ~~Clear Cutting~~ (per Subsection 22.304(2)(c))
- ~~Outdoor Display~~ (per Subsection 22.304(4)(d))
- ~~Day Care Center (9+ children)~~ (per Subsection 22.304(4)(k))
- Outdoor Maintenance Service (per Subsection 22.304(4)(l))
- ~~Outdoor Commercial Entertainment~~ (per Subsection 22.304(4)(m))
- ~~Group Development~~ (per Subsection 22.304(4)(q))
- ~~Personal Storage Facility~~ (per Subsection 22.304(7)(c))
- Airport/Heliport (per Subsection 22.304(8)(b))
- Distribution Center (per Subsection 22.304(8)(d))
- Communication Tower (per Subsection 22.304(9)(c))
- Heavy Industrial (per Subsection 22.304(9)(b))
- Non-Combustion Power Generating Facility under 100 MW (per section 22.304(9)(g))

**(d) Land Uses Permitted as Accessory Uses:**

- 1. Land Uses Permitted by Right:
  - Farm Residence (per Subsection 22.304(5)(c))

B-3

key land use difference

P = permitted in  
M-2

regional business uses which can afford the relatively higher development costs and rents associated with development in Suburban Commercial (B-4) District.

(2) List of Allowable Land Uses:

(a) Land Uses Permitted by Right:

- ~~Selective Cutting~~ (per Subsection 22.304(2)(b))
- ~~Passive Outdoor Public Recreation~~ (per Subsection 22.304(3)(a))
- ~~Office~~ (per Subsection 22.304(4)(a))
- Personal or Professional Services (per Subsection 22.304(4)(b))
- Indoor Sales or Service (per Subsection 22.304(4)(c))
- ~~Indoor Maintenance Service~~ (per Subsection 22.304(4)(e))
- ~~Indoor Vehicle Storage~~ (per Subsection 22.304(5)(e))

(b) Land Uses Permitted by Right with Additional Special Requirements:

- ~~Cultivation~~ (per Subsection 22.304(2)(a))
- Active Outdoor Public Recreation (per Subsection 22.304(3)(b))
- Indoor Institutional (per Subsection 22.304(3)(c))
- ~~Public Services and Utilities~~ (per Subsection 22.304(3)(e))
- ~~Off-Site Parking Lot~~ (per Subsection 22.304(8)(a))
- ~~Artisan Studio/Production Shop~~ (per Subsection 22.304(4)(t))
- Indoor Commercial Entertainment (per 22.304(4)(g))

(c) Land Uses Permitted as Conditional Use:

- Institutional Residential Development (per Subsection 22.304(1)(a) and (3)(f))
- ~~Clear Cutting~~ (per Subsection 22.304(2)(c))
- Outdoor Institutional (per Subsection 22.304(3)(d))
- Outdoor Display (per Subsection 22.304(4)(d))
- In-Vehicle Sales or Service (per Subsection 22.304(4)(f))
- Commercial Animal Boarding (per Subsection 22.304(4)(h))
- Commercial Indoor Lodging (per Subsection 22.304(4)(i))
- Bed and Breakfast Establishments (per Subsection 22.304(4)(j))
- ~~Day-Care Center (9+ children)~~ (per Subsection 22.304(4)(k))
- ~~Outdoor Commercial Entertainment~~ (per Subsection 22.304(4)(m))
- Boarding House (per Subsection 22.304(4)(n))
- P — Vehicle Repair and Maintenance (per Subsection 22.304(4)(p))
- ~~Group Development~~ (per Subsection 22.304(4)(q))
- Drive-In Drive-up, Drive-through Land Use (per Subsection 22.304(4)(r))
- P — Indoor Storage or Wholesaling (per Subsection 22.304(7)(a))
- ~~Personal Storage Facility~~ (per Subsection 22.304(7)(c))

(d) Land Uses Permitted as Accessory Uses:

1. Land Uses Permitted by Right:

- Farm Residence (per Subsection 22.304(5)(c))
- Company Cafeteria (per Subsection 22.304(5)(f))
- Power Generating Device Incidental to On-Site Principal Land Use (per Subsection 22.304(5)(w))
- On-Site Composting/Wood Piles (per Subsection 22.304(5)(o))
- Private Garage or Shed (per Subsection 22.304(5)(d))

2. Land Uses Permitted by Right with Additional Special Requirements:

- On-Site Parking Lot (per Subsection 22.304(5)(b))
- Company Provided On-Site Recreation (per Subsection 22.304(5)(g))
- Light Industrial Incidental to Indoor Sales and Service (per Subsection 22.304(5)(j))



CITY OF EDGERTON  
ORDINANCE No. 19-04  
AN ORDINANCE TO AMEND SECTIONS:  
22.420 "FENCING STANDARDS";  
22.403 "VISIBILITY STANDARDS";  
22.304(6)(f) "SEASONAL OUTDOOR SALES OF PRODUCTS";  
22.302(11)(d) "PERMITTED INTRUSIONS INTO REQUIRED YARDS"; AND  
22.303 "NONCONFORMING USES, STRUCTURES, LOTS"  
OF THE EDGERTON CODE OF ZONING ORDINANCES,  
CITY OF EDGERTON ROCK AND DANE COUNTIES, WISCONSIN

Aldersperson \_\_\_\_\_ introduced the following Ordinance and moved its adoption:

THE COMMON COUNCIL OF THE CITY OF EDGERTON, ROCK AND DANE COUNTIES,  
WISCONSIN, DO ORDAIN AS FOLLOWS:

Section 22.420 shall be amended as follows:

**22.420 Fencing Standards**

(c) Maximum Height: The maximum height of any fence, landscape wall, or decorative post shall be the following:

1. 4 feet when located within a required front yard or required street yard on any property, unless it is determined to be a visual obstruction;
2. 6 feet when located on any residentially zoned property, but not within a required front yard or a required street yard; and
3. 8 feet when located on any non-residentially zoned property in a side or rear yard. but not within a required front yard or a required street yard, except that security fences may exceed this height. Security fences for non- residentially zoned properties and for Public Utilities in any zoning district may exceed the height restrictions of section 22.420 (c) if approved by the Plan Commission as part of an approved site plan.
4. The maximum heights listed for Subsections (3)(c)1.-3., above, may be exceeded with the approval of a conditional use per Subsection 22.206. The following conditions (at a minimum) shall be established for such requests:
  - a. The increase in height shall in no way further obstruct vision for intersecting streets, driveways, sidewalks or other traffic areas;
  - b. The fence shall be screened on its external side with adequate plants so as to maintain an attractive appearance to said side.
  - c. The fence shall be setback from the property line beyond the requirement of Subsection (3)(b), above, such distance as appropriate to contain adequate landscaping per (3)(c)4.b., above, and so as to maintain an attractive relationship to fence's external side.

Section 22.403 shall be amended as follows:

**22.403 VISIBILITY STANDARDS.**

- (1) **Purpose.** The purpose of this subsection is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum requirements for the provision of vehicular visibility.
- (2) **Requirement.** In order to provide a clear view of intersecting streets to motorists there shall be a triangular area of clear vision formed by the two intersecting streets and a chord connecting adjacent right-of-way lines, as determined by the Director of Public Works. The following are prohibited within said triangular area: signs (other than traffic control signs) ~~and signs~~ having a post(s) 12 inches in diameter or more; ~~less~~; ~~and also signs having with~~ the bottom edge of the sign at least less than 8 feet high; parking spaces; structures or earthwork in excess of 30 inches; and ~~no~~ vegetation, fencing, ~~nor~~ and other such obstructions between 30 inches and 8 feet in height which exceeds an opacity of 0.2 (see Subsection 22.610(4)(b)). Height shall be measured above either of the centerline elevations of said two streets. Generally, the standards within Table 22.403 and illustrated in the accompanying graphic, on the following page, shall apply.

Section 22.304(6)(f) shall be amended as follows:

**22.304 (6) (f) Seasonal Outdoor Sales of Products.**

Description: Includes any outdoor display of products not otherwise regulated by the City of Edgerton Code of Ordinances. Examples of this land use include but are not limited to: seasonal garden shops and the display of farm products.

1. Temporary Use Regulations: {A-1, B-1, B-2, B-3, B-4, HMU, M-1, M-2}
  - a. Display shall be limited to a maximum of 120 days in any calendar year.
  - b. Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.
  - c. Signage shall comply with the requirements for temporary signs in Subsection 22.506.
  - d. Adequate parking shall be provided.
  - e. If subject property is located adjacent to a residential area, sales and display activities shall be limited to daylight hours.
  - f. The applicant has written permission from the property owner or tenant.
  - ~~f.g.~~ Shall comply with Subsection 22.208, standards and procedures applicable to all temporary uses.

Section 22.302(11)(d) shall be amended as follows:

**22.302 (11) (d) Permitted Intrusions into Required Yards:** The following intrusions by buildings and structures are permitted into the specified required yards:

1. Permitted Intrusions in to Required Front or Street Yards:
  - a. Chimneys, flues, sills, pilasters, lintels, ornamental features, cornices, eaves, bay windows, and gutters for residential buildings, provided they do not extend more than two and one-half (2.5) feet into the required yard.
  - b. Yard lights, ornamental lights, and nameplate signs for residential lots; provided, that they comply with the illumination requirements of Section 22.407 and provided they do not locate closer than five (5) feet from the front or street property line.
  - c. Terraces, sidewalks, ~~steps~~, uncovered porches, decks, stoops, or similar appurtenances to residential buildings which do not extend above the floor level of the adjacent building entrance; provided, they do not intrude more than six (6) feet into any required street yard and front yard, except sidewalks connecting to

a public sidewalk may extend to the public sidewalk. Steps may intrude more than 6 feet into a required street yard or front yard only if required by the elevation of the entry but cannot extend any closer than 10 feet to the front or street yard lot line.

**Section 22.303** shall be amended as follows:

Section 22.303 Nonconforming uses, structures, lots

(2)(g) A legal, nonconforming detached garage may be enlarged modified provided the following requirements are met:

1. That the proposed garage addition complies with the required setback(s).
2. ~~And~~ That precautions (determined on a case-by-case basis by the Building Inspector) are taken to reduce the possibility of fire damage to nearby structures.
3. The proposed modification does not result in a detached garage that exceeds any of the area, height, intensity requirements, bulk requirements or other ordinance provisions.

This Ordinance shall be in full force and effect after its passage and publication.

Seconded by Alderperson:

Roll Call:   Ayes       Noes

1st Reading:

2nd Reading:

Adopted:

Published:

Dated:

\_\_\_\_\_  
Christopher W. Lund, Mayor

\_\_\_\_\_  
Ramona Flanigan, City Administrator

STATE OF WISCONSIN)

)ss.

COUNTY OF ROCK    )

I, Ramona Flanigan, City Administrator, City of Edgerton, Rock and Dane Counties, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the ordinance adopted by the Common Council of the City of Edgerton at its regular meeting the \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Ramona Flanigan, City Administrator



**TO:** Edgerton Plan Commission

**FROM:** Ramona Flanigan

**MEETING DATE:** March 25, 2019

**GENERAL DESCRIPTION**

**Address:** 3202 W Cnty RD M, Rock County, Fulton Township Sec. 16

**Applicant:** Joseph McCann

**Parcel Size:** 0.95, 3.9 and 8.9 acres

**Description of Request:** approval of a 3 lot CSM

**STAFF REVIEW COMMENTS**

Staff has reviewed the petition for planning issues in accordance with the Edgerton Master Plan and has the following comments:

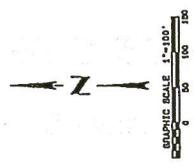
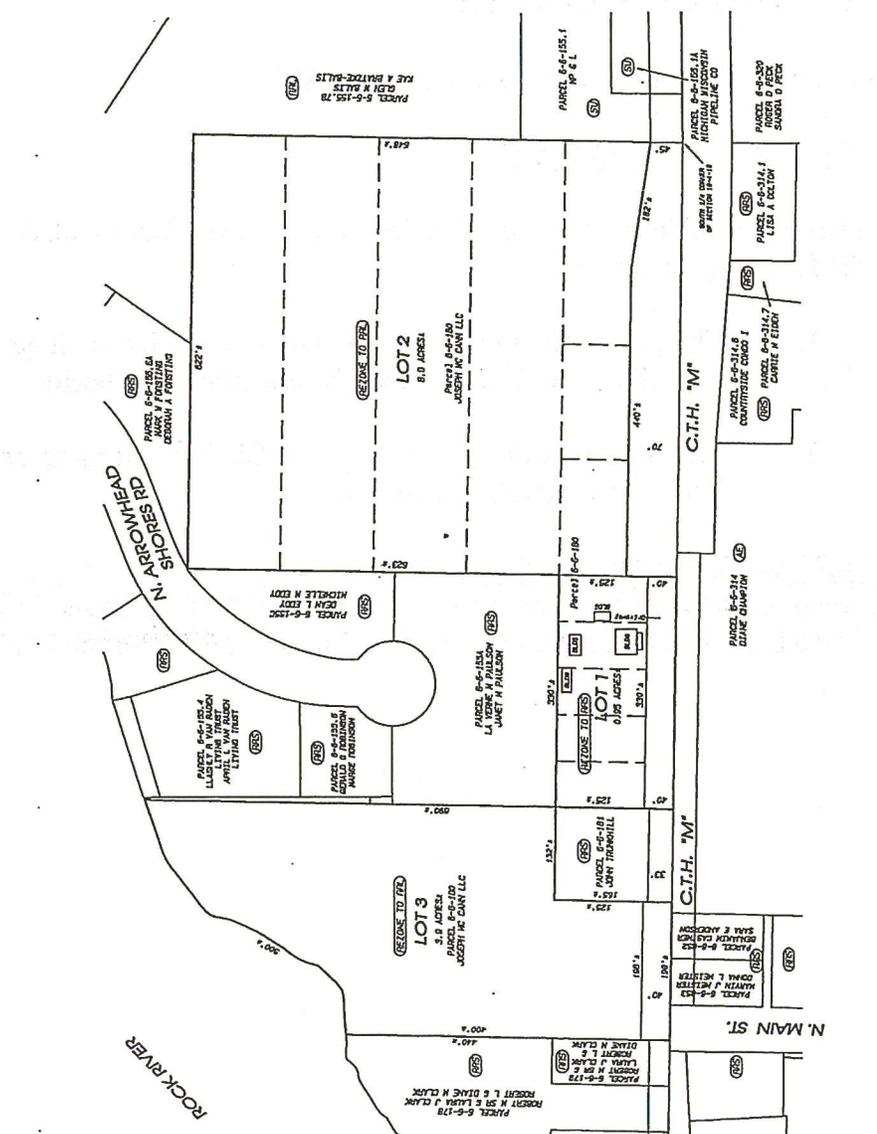
1. The proposed land division is within the City of Edgerton's extraterritorial zone. Therefore, the City has land division review authority.
2. The area of the division is not in the City's gravity sewer service area and unlikely to impede efficient City expansion.

**STAFF RECOMMENDATION**

Staff recommends the Plan Commission recommend the City Council approve a 3 lot CSM at 3202 W Cnty RD M, Rock County, Fulton Township Sec. 16 for Joseph McCann.

# PRELIMINARY CERTIFIED SURVEY MAP

LOTS 92, 93, 94, 97, 99, 40, 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 AND 76 AND PART OF LOTS 70, 71 AND 72, STATE SCHOOL LEAF SUBDIVISION (UNRECORDED) AND LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 16, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



NOTES:  
THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED. THE BASIS OF BEARINGS IS ASSUMED.

|  |                |          |
|--|----------------|----------|
|  | DATE           | 03/02/19 |
|  | REVISED        | 3/19/19  |
|  | LAND SURVEYING | BY       |
|  | LAND PLANNING  | BY       |
|  | PROJECT NO.    | 119-047  |
|  | DATE           | 03/19/19 |
|  | BY             | MCCANN   |

**CITY OF EDGERTON  
ORDINANCE No. 19-02**

**AN ORDINANCE TO AMEND SECTION 9.04 "DESIGNATION OF ONE-WAY  
STREETS" OF THE EDGERTON CODE OF GENERAL ORDINANCES,  
CITY OF EDGERTON ROCK AND DANE COUNTIES, WISCONSIN**

Aldersperson \_\_\_\_\_ introduced the following Ordinance and moved its adoption:

THE COMMON COUNCIL OF THE CITY OF EDGERTON, ROCK AND DANE  
COUNTIES, WISCONSIN, DO ORDAIN AS FOLLOWS:

**9.04 DESIGNATION OF ONE-WAY STREETS** shall be amended by adding item (5) as  
follows:

The following streets and highways are designated as one-way streets and all traffic thereon shall  
proceed in the direction set forth by traffic signs erected thereon.

- (1) St. Joseph's Circle.
- (2) Head Street.
- (3) Barberry Lane.
- (4) Elm High Drive in front of the Elementary School and the east side of the High School.
- (5) **Ridgeway Street between Park Place Addition and Albion Street.**

This Ordinance shall be in full force and effect after its passage and publication.

Seconded by Aldersperson:

Roll Call: Ayes Noes

1st Reading:

2nd Reading:

\_\_\_\_\_  
Christopher W. Lund, Mayor

Adopted:

Published:

Dated:

\_\_\_\_\_  
Ramona Flanigan, City Administrator

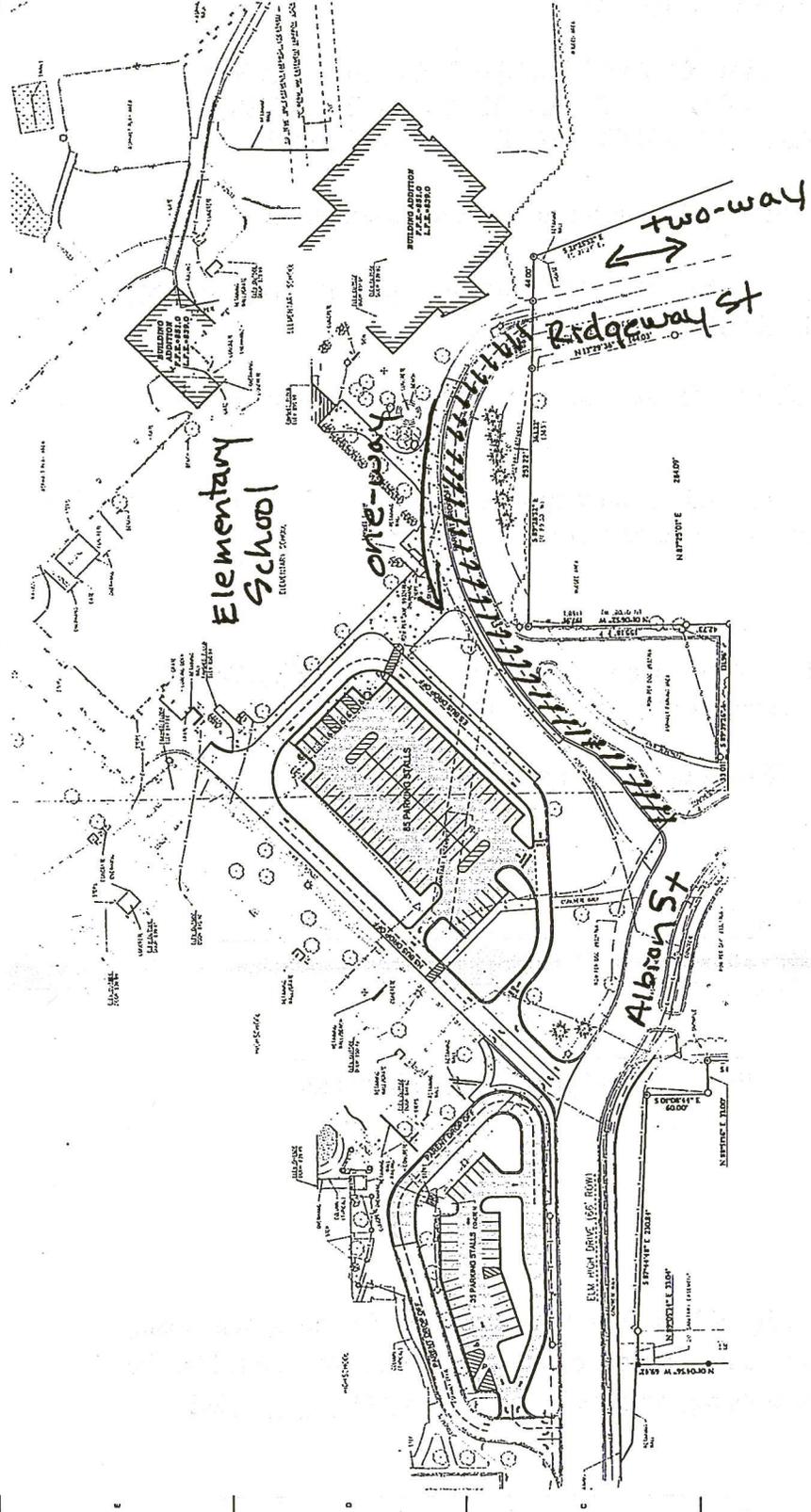
STATE OF WISCONSIN)

)ss.

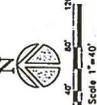
COUNTY OF ROCK )

I, Ramona Flanigan, City Administrator, City of Edgerton, Rock and Dane Counties, Wisconsin,  
do hereby certify that the foregoing is a true and correct copy of the ordinance adopted by the  
Common Council of the City of Edgerton at its regular meeting the \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Ramona Flanigan, City Administrator



**BENCH MARKS**  
 BENCHMARKS ARE SHOWN BY THE FOLLOWING SYMBOLS:  
 1. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.  
 2. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.  
 3. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.  
 4. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.  
 5. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.  
 6. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.  
 7. BENCHMARK (B.M.) - A BENCH MARK IS A POINT OF KNOWN ELEVATION WHICH IS USED AS A REFERENCE POINT FOR DETERMINING THE ELEVATION OF OTHER POINTS.



## CITY OF EDGERTON DECLARATION

### **Recognizing and thanking the Evansville Police Department for Invaluable Assistance with the City of Edgerton Police Chief Hiring Process**

WHEREAS, The Wisconsin State Statutes dictate the Police Commission appoint police officers including the Chief of Police; and

WHEREAS, The Edgerton Police Commission having recognized its duty to fulfill its obligation to select and appoint the next Chief of Police as one of great importance to the citizens of Edgerton, sought the professional and expert advice of experienced Police Professionals to assist in the Chief selection process; and

WHEREAS, Evansville Police Chief Scott McElroy was instrumental in applicant reviews, interviews, and evaluations; and

WHEREAS, The assistance provided by Chief McElroy was professional, insightful, and invaluable in the Edgerton Police Chief selection process.

NOW THEREFORE BE IT RESOLVED, The City of Edgerton Common Council and the Edgerton Police Commission thank and commend Chief McElroy for his generous assistance and valuable expertise provided throughout the Edgerton Police Chief search.

BE IT FURTHER RESOLVED THAT, the City of Edgerton would like the City of Evansville City Council and Police and Fire Commission to be aware that the assistance provided by its Police Department is a demonstration of their officers' commitment to always improving police services in the region.

---

Christopher Lund, Mayor

Attest

---

Ramona Flanigan, City Administrator

## **CITY OF EDGERTON DECLARATION**

### **Recognizing and Thanking Fred Falk for Dedicated Assistance in the City of Edgerton Police Chief Hiring Process**

WHEREAS, The Wisconsin State Statutes dictate the Police Commission appoint police officers including the Chief of Police; and

WHEREAS, The Edgerton Police Commission having recognized its duty to fulfill its obligation to select and appoint the next Chief of Police as one of great importance to the citizens of Edgerton, sought the professional and expert advice of experienced Police Professionals to assist in the Chief selection process; and

WHEREAS, Retired Army Lieutenant Colonel, Retired Rock County Sheriff, and Retired Federal Marshal, Fred Falk, was instrumental in assembling a highly qualified group of active police professionals from throughout Rock County to assist with the Police Chief hiring process; and

WHEREAS, Mr. Falk completed applicant reviews, participated in interviews, guided applicants on a tour of various City institutions, and provided invaluable advice throughout the Edgerton Police Chief selection process.

NOW THEREFORE BE IT RESOLVED, The City of Edgerton Common Council and the Edgerton Police Commission thank and commend Fred Falk for his generous assistance and valuable expertise provided during the Edgerton Police Chief search.

\_\_\_\_\_  
Christopher Lund, Mayor

Attest

\_\_\_\_\_  
Ramona Flanigan, City Administrator

## CITY OF EDGERTON DECLARATION

### **Recognizing and thanking the Janesville Police Department for Invaluable Assistance with the City of Edgerton Police Chief Hiring Process**

WHEREAS, The Wisconsin State Statutes dictate the Police Commission appoint police officers including the Chief of Police; and

WHEREAS, The Edgerton Police Commission having recognized its duty to fulfill its obligation to select and appoint the next Chief of Police as one of great importance to the citizens of Edgerton, sought the professional and expert advice of experienced Police Professionals to assist in the Chief selection process; and

WHEREAS, Janesville Police Chief David Moore, Deputy Chief Terrence Sheridan, and other officers of the Janesville Police Department were instrumental in applicant reviews, interviews, and background investigations; and

WHEREAS, The assistance provided by the Janesville Police Department was professional, insightful, and invaluable in the Edgerton Police Chief selection process.

NOW THEREFORE BE IT RESOLVED, The City of Edgerton Common Council and the Edgerton Police Commission thank and commend the Janesville Police Department for their generous assistance and valuable expertise provided throughout the Edgerton Police Chief search.

BE IT FURTHER RESOLVED THAT, the City of Edgerton would like the City of Janesville City Council and Police and Fire Commission to be aware that the assistance provided by its Police Department is a demonstration of their officers' commitment to always improving police services in the region.

---

Christopher Lund, Mayor

Attest

---

Ramona Flanigan, City Administrator

## CITY OF EDGERTON DECLARATION

### **Recognizing and thanking the Rock County Sheriff's Department for Invaluable Assistance with the City of Edgerton Police Chief Hiring Process**

WHEREAS, The Wisconsin State Statutes dictate the Police Commission appoint police officers including the Chief of Police; and

WHEREAS, The Edgerton Police Commission having recognized its duty to fulfill its obligation to select and appoint the next Chief of Police as one of great importance to the citizens of Edgerton, sought the professional and expert advice of experienced Police Professionals to assist in the Chief selection process; and

WHEREAS, Retired Rock County Sheriff Robert Spoden, Rock County Sheriff Troy Knudson, Chief Deputy Barbara Tillman, and other staff members of the Rock County Sheriff's Department were instrumental in applicant reviews, interviews, and evaluations; and

WHEREAS, The assistance provided by Chief Deputy Tillman was professional, insightful, and invaluable in the Edgerton Police Chief selection process.

NOW THEREFORE BE IT RESOLVED, The City of Edgerton Common Council and the Edgerton Police Commission thank and commend Chief Deputy Tillman for her generous assistance and valuable expertise provided throughout the Edgerton Police Chief search.

BE IT FURTHER RESOLVED THAT, the City of Edgerton would like the Rock County Board of Supervisors to be aware that the assistance provided by its Department is a demonstration of their officers' commitment to always improving police services in the region.

\_\_\_\_\_  
Christopher Lund, Mayor

Attest

\_\_\_\_\_  
Ramona Flanigan, City Administrator